

California Department of Insurance

Fraud Division

May 2014 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

May 2014 Workers' Compensation Fraud Convictions

CDI Case Number: 11GW013767

County: Monterey

Defendant: Chip Bolton

City/County of Residence: Litchfield Park, AZ/Maricopa County

Conviction Date: 05/02/14

Offense: 2 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation); 1 Count of PC 487(a) (Grand Theft); 1 Count of PC 118(a) (Perjury); 1 Count of PC 664/118(a) (Attempted Perjury); 1 Count of PC 550(b)(2) (False Statement)

Amount Allegedly Defrauded: \$83,850.34

Sentence: 8 Years, 8 Months County Jail, \$60,488.34 Restitution To Gallagher Bassett Services, \$11,057 Restitution To Monterey County Department of Social & Employment Services-Liability for this amount is joint and several with Co-Defendant. Alexis Rae Bushta, \$7,855 Restitution To Monterey County Department of Social & Employment Services, \$4,450 Restitution To State of California Employment Development Department, \$2,400 Civil Fine

Case Number: BA422187

County: Los Angeles

Defendant: Jorge Alberto Cruz

City/County of Residence: Not available at this time

Conviction Date: 05/09/14

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$6,100

Sentence: 6 Days County Jail, 300 Hours Community Service, 3 Years Formal Probation, \$6,100 Restitution, \$200 Civil Fine

CDI Case Number: 13AW004402

County: Butte

Defendant: John Thomas Dooney

City/County of Residence: Durham/Butte

Conviction Date: 05/15/14

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Conditional Probation, \$10,000 Criminal Fine (\$8,000 is Stayed)

CDI Case Number: 13JW008915

County: Los Angeles

Defendant: Mercedes Dolores Chaires Garcia

City/County of Residence: Lancaster/Los Angeles

Conviction Date: 05/21/14

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation); 1 Count of PC 664/118(a) (Attempted Perjury)

Amount Allegedly Defrauded: \$7,055.15

Sentence: 12 Days County Jail, 400 Hours Community Service, 3 Years Formal Probation, \$7,055.15 Restitution, \$200 Civil Fine (Stayed Pending Successful Completion of Probation)

CDI Case Number: 13CW003700

County: Los Angeles

Defendant: Wayne Chehwun Lu

City/County of Residence: Los Angeles/Los Angeles

Conviction Date: 05/07/14

Offense: 1 Count of PC 550(b)(3) (Failure To Disclose)

Amount Allegedly Defrauded: \$40,121.65

Sentence: 300 Hours Community Service, 3 Years Formal Probation, \$40,121.65 Restitution, \$280 Civil Fine

Case Number: P14CRM0105

County: El Dorado

Defendant: Jose Antonio Lua

City/County of Residence: Not available at this time

Conviction Date: 05/09/14

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Summary Probation, \$150 Civil Fine, \$830 Criminal Fine

CDI Case Number: 13JW015594

County: Santa Barbara

Defendant: Juan Valdivia

City/County of Residence: Ventura/Ventura

Conviction Date: 05/28/14

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$27,300.61

Sentence: \$27,300.61 Restitution